

1 THOMAS HERLIHY (SBN 83615)
2 JOHN T. BURNITE (SBN 162223)
3 WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP
4 525 Market Street, 17th Floor
5 San Francisco, CA 94105
6 Telephone: (415) 433-0990
7 Facsimile: (415) 434-1370

8 Attorneys for Defendant
9 THE NORTHWESTERN MUTUAL LIFE
10 INSURANCE COMPANY

11 DANIEL A. HOROWITZ (SBN 92400)
12 Attorney at Law
13 P.O. Box 1547
14 Lafayette, CA 94549
15 Telephone: (510) 444-4888
16 Facsimile:

17 Attorneys for Plaintiff
18 WILMER D. ORIGEL

19 IN THE UNITED STATES DISTRICT COURT

20 FOR THE NORTHERN DISTRICT OF CALIFORNIA

21 WILMER D. ORIGEL, } Case No.: C05-04633 JCS
22 Plaintiff, } STIPULATION AND [PROPOSED]
23 vs. } ORDER CONTINUING CASE
24 THE NORTHWESTERN MUTUAL LIFE MANAGEMENT CONFERENCE
25 INSURANCE COMPANY, }
26 Defendant }

The parties to the above-entitled action, plaintiff Wilmer Origel (“plaintiff”) and defendant The Northwestern Mutual Life Insurance Company (“Northwestern”) by and through their respective attorneys of record, jointly request that the Case Management Conference (and deadline to complete private mediation) be continued based on the following:

At the April 25, 2008 CMC, the court set a further CMC for June 27, 2008, and required a further mediation be completed with Sue Popik, Esq. before the end of June 2008.

However, additional time is necessary for the parties to prepare for and complete mediation, which includes the taking of plaintiff's deposition. The parties are trying to coordinate a mutually convenient date for the deposition in July; scheduling efforts have been hampered by a trial that was set to proceed on May 19, 2008 and a trial which is set, and expected to proceed, on June 16, 2008 (10-15 day jury trial).

The parties hereby stipulate and respectfully request the Case Management Conference, currently scheduled for June 27, 2008, and time to complete mediation, be continued until on or about July 25 or August 1, 2008.

IT IS SO STIPULATED.

Respectfully Submitted,
DANIEL A. HOROWITZ

Dated: June , 2008

By _____
Daniel A. Horowitz
Attorneys for Plaintiff
WILMER D. ORIGEL

WILSON, ELSER, MOSKOWITZ, EDELMAN &
DICKER LLP

Dated: June , 2008

By _____
John T. Burnite
Attorneys for Defendant
THE NORTHWESTERN MUTUAL LIFE
INSURANCE COMPANY

The parties to the above-entitled action, plaintiff Wilmer Origel (“plaintiff”) and defendant The Northwestern Mutual Life Insurance Company (“Northwestern”) by and through their respective attorneys of record, jointly request that the Case Management Conference (and deadline to complete private mediation) be continued based on the following:

At the April 25, 2008 CMC, the court set a further CMC for June 27, 2008, and required a further mediation be completed with Sue Popik, Esq. before the end of June 2008.

However, additional time is necessary for the parties to prepare for and complete mediation, which includes the taking of plaintiff's deposition. The parties are trying to coordinate a mutually convenient date for the deposition in July; scheduling efforts have been hampered by a trial that was set to proceed on May 19, 2008 and a trial which is set, and expected to proceed, on June 16, 2008 (10-15 day jury trial).

The parties hereby stipulate and respectfully request the Case Management Conference, currently scheduled for June 27, 2008, and time to complete mediation, be continued until on or about July 25 or August 1, 2008.

IT IS SO STIPULATED.

Respectfully Submitted,
DANIEL A. HOROWITZ

Dated: June 12 2008

Ry 2
Daniel A. Horowitz
Attorneys for Plaintiff
WILMER D. ORGEL

WILSON, ELSER, MOSKOWITZ, EDELMAN &
DICKER LLP

Dated: June , 2008

By _____
John T. Burnite
Attorneys for Defendant
THE NORTHWESTERN MUTU
INSURANCE COMPANY

ORDER

Having considered the Stipulation of the parties, it is hereby ordered that the further Case Management Conference in this matter, currently scheduled for 1:30 p.m. on June 27, 2008, is hereby continued to August 1, 2008, at 1:30 PM. The private mediation also shall occur before the continued Case Management Conference date.

DATE: June 17, 2008

